August 25, 2010

TO: Members of the Los Angeles County Committee on School District Organization (County Committee)

FROM: Daniel G. Villanueva, Secretary County Committee

SUBJECT: Cancellation of the September 1, 2010, Regular Meeting of the County Committee

The regular meeting of the County Committee scheduled for Wednesday, September 1, 2010, has been CANCELLED. The next regular meeting is scheduled for Wednesday, October 6, 2010, at 9:30 a.m.

The following is an update of relevant information as of August 18, 2010:

Correspondence

- An August 3, 2010, letter from the Centinela Valley Union High School District (SD) and the Wiseburn SD concerning a request to have a joint meeting with Dr. Darline R. Robles, Los Angeles County Superintendent of Schools, acting as mediator, to work on a mutually acceptable, community-based solution regarding Wiseburn SDs proposed formation of a Wiseburn Unified SD. (Attachment 1)

Newspaper Articles

- A July 13, 2010, article from The Mercury News “San Mateo County supervisors decide to keep at-large elections in place” (April 2010 articles leading up to this article are attached). (Attachment 2)

Legislative Review

Attached is a review of pending legislation related to school district organization. (Attachment 3)

School District Organization Proposals

Updated versions of the following two documents are provided for your information:
Cancellation of the September 1, 2010, Regular Meeting of the County Committee
August 25, 2010
Page 2

- “Summary of Los Angeles Unified School District Reorganization Proposals.” (Attachment 4)

- “Summary of Los Angeles County School District Reorganization Proposals (excluding those affecting the Los Angeles Unified School District).” (Attachment 5)

Please call me at (562) 922-6144 if you have any questions or concerns.

DGV/AD:mb
Attachments
Los Angeles County Office of Education (LACOE)  
Division of Business Advisory Services  

Los Angeles County Committee on School District Organization  
(County Committee)  
Legislative Review-September 2010

**Bill Number/Author:**  
Senate Bill 1135/Cox  
**Introduction Date:**  
02/18/10  
**Last Activity/Date:**  
03/22/10: Set, second hearing. Hearing cancelled at the request of author.

**Description of Bill**

This bill would repeal Education Code (EC) §§ 35555, 35556, and 45121, related to the rights of school employees in a school district reorganization.

Existing law protects the rights of non-certificated employees during a reorganization. During a unification, salaries, leaves, and other benefits must remain equivalent to the pre-reorganization status for all non-certificated employees for up to two years. Employees of any school district whose territory is part of a unification reorganization are protected under these provisions of the Education Code. This bill would remove those protections.

**Potential Impact of Bill on Los Angeles County Committee, School District Organization Process and/or Los Angeles County School Districts**

This bill could present obstacles to school district reorganization petitions. If school districts, labor organizations, community groups or other advocates want to protect the employment rights of non-certificated employees, they may oppose reorganization petitions regardless of the petitioners’ motivations or goals. Sources at the California Department of Education indicate that strong support for this bill is not anticipated at this time.

**Recommended Position**

Staff recommends the following position:

☑ Watch  Bill should be monitored by County Committee staff, but no action should be taken at this time.
☐ Approve  The County Committee supports the bill’s concept, but will not actively work for passage.
☐ Support  The County Committee actively supports the bill.
☐ Oppose  The County Committee actively opposes the bill.
☐ Disapprove  The County Committee disapproves of the bill’s concept, but will not actively oppose passage.

**Amendments Required**

If staff’s recommended position is based on the need for amendments to the bill language, suggested alternative language is attached.

**Correspondence Required**

If staff’s recommended position is based on the need for correspondence to the bill’s author, the Governor or other governmental officials, a draft of suggested language is attached.

Please direct all comments to Daniel Villanueva, Secretary to the County Committee, at (562) 922-6144.
**BILL NUMBER/AUTHOR:**
Assembly Bill 2330/Arambula

**INTRODUCTION DATE:**
02/19/10

**LAST ACTIVITY/DATE:**
05/04/10: In committee: Set, first
hearing. Hearing canceled at the
request of author.

**DESCRIPTION OF BILL**

According to the Legislative Counsel’s Digest, “the California Voting Rights Act of 2001 (CVRA), prohibits
the use of an at-large election in a political subdivision if it would impair the ability of a protected class, as
defined, to elect candidates of its choice or otherwise influence the outcome of an election. The CVRA
provides that a voter who is a member of a protected class may bring an action in superior court to enforce
the provisions of the CVRA, and, if the voter prevails in the case, he or she may be awarded reasonable litigation
costs and attorney’s fees.” The district would then be required to develop trustee areas and adopt a trustee
area voting methodology.

The Legislative Counsel’s Digest opined further that: “This bill would require a voter to file a written claim
with a county office of education, a school district, or a community college district prior to filing an action in
superior court seeking enforcement of the CVRA against those entities. The county office of education,
school district, or community college district, would be required to respond to the claim within 30 days or the
claimant would be allowed to file an action. The bill would provide that the county office of education, school
district, or community college district would not be liable for a claimant’s litigation costs or attorney’s fees if
the claim is accepted by the county office of education, school district, or community college district or if the
claimant accepts alternative relief proposed by the county office of education, school district, or community
college district. This bill would declare that it is to take effect immediately as an urgency statute.” [emphasis
added]

**POTENTIAL IMPACT OF BILL ON LOS ANGELES COUNTY COMMITTEE, SCHOOL DISTRICT
ORGANIZATION PROCESS AND/OR LOS ANGELES COUNTY SCHOOL DISTRICTS**

This bill could provide relief to LACOE and/or the County Committee from claims for attorneys’ fees (and
expert witness fees) for actions stemming from a school district’s presumed violation of the CVRA (based on
such district maintaining at-large voting methodologies), provided LACOE and/or the County Committee
responds to relevant claims within 30 days and the claimant accepts the relief offered. It provides a brief
window (30 days) within which LACOE and/or the County Committee could respond to such claims. It is
not clear how much time would be provided for LACOE and/or the County Committee to take pro-active
action to develop countywide plans, provide technical assistance to districts in analyzing or changing their
voting methodologies, and other actions that may mitigate any potential violations of the CVRA.

**RECOMMENDED POSITION**

Staff recommends the following position:

- **Watch** Bill should be monitored by County Committee staff, but no action should be taken at this
time.
- **Approve** The County Committee supports the bill’s concept, but will not actively work for passage.
- **Support** The County Committee actively supports the bill.
- **Oppose** The County Committee actively opposes the bill.
- **Disapprove** The County Committee disapproves of the bill’s concept, but will not actively oppose
  passage.
AMENDMENTS REQUIRED
If staff's recommended position is based on the need for amendments to the bill language, suggested alternative language is attached.

CORRESPONDENCE REQUIRED
If staff’s recommended position is based on the need for correspondence to the bill’s author, the Governor or other governmental officials, a draft of suggested language is attached.

Please direct all comments to Daniel Villanueva, Secretary to the County Committee, at (562) 922-6144.
September 2010

The following is a summary of school district reorganization proposals affecting the Los Angeles Unified School District (USD) that were at various stages in the school district organization process as of August 17, 2010.

PROPOSAL TO TRANSFER CERTAIN TERRITORY FROM THE COMPTON USD TO THE LOS ANGELES USD

Status: Final petition submission pending.

Status Date: June 26, 2007

OTHER INQUIRIES REGARDING REORGANIZATION (within the last six months)

Formation Proposals/Last Activity Date

None

Transfer of Territory Proposals/Last Activity Date

None

* Indicates update from previous summary.
Summary of Los Angeles County School District Reorganization Proposals
(excluding those affecting the Los Angeles Unified School District)

September 2010

The following is a summary of school district reorganization proposals (exclusive of those affecting the Los Angeles Unified School District [USD]) that were at various stages in the school district reorganization process as of August 18, 2010.

PROPOSED INCREASE IN THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN AND THE ESTABLISHMENT OF TRUSTEE AREAS WITHIN THE POMONA USD

On July 13, 2009, the Los Angeles County Office of Education (LACOE) received a request for a petition pursuant to Education Code (EC) §5019 to increase the number of trustees from five to seven and to establish trustee areas within the Pomona USD. The request was submitted by chief petitioner Mr. John Mendoza. The petition was forwarded to the Office of the Los Angeles County Counsel (County Counsel) to determine its legal compliance regarding format and content. On August 7, 2009, County Counsel deemed the petition sufficient. Staff returned the petition to the chief petitioner on August 11, 2009, for circulation.

Please note that this is a separate petition, distinct from the other petitions requested by Mr. Mendoza, and requests some of the same changes within the Pomona USD (the addition of two governing board members and the creation of trustee areas). It was submitted under EC §5019(c) and requires valid signatures from 500 registered voters within the petition area. If valid and certified by the Los Angeles County Committee on School District Organization (County Committee), this petition would trigger a feasibility study and ultimately a vote by the County Committee.

On July 14, 2010, the chief petitioner submitted signed petitions in this matter. On July 15, 2010, the chief petitioner submitted additional signed petitions. The petitions were forwarded to the Los Angeles County Registrar-Recorder/County Clerk (Registrar-Recorder) on July 23, 2010, for signature verification.

On August 12, 2010, the Registrar-Recorder completed its review of the petitions submitted. The chief petitioner submitted 733 signatures. Of that group, 680 signatures were found to be sufficient (complete and signed by registered voters). However, under EC §5019(c)(1), a petition seeking to change the trustee areas of a school district must be signed within 180 days of submission to the County Committee. Staff examined the petitions submitted and found that only 84 signatures submitted were signed within the mandated timeline. Thus, the petition is not sufficient and will not move forward. On August 16, 2010, the chief petitioner was notified of the petition insufficiency.

*Status: Petition insufficient; action ended.

Status Date: August 16, 2010

* Indicates update from previous summary.
FORMATION—WISEBURN USD (CURRENTLY LIES WITHIN THE BOUNDARIES OF THE CENTINELA VALLEY UNION HIGH SD)

On May 16, 2001, LACOE received a request from the Citizens for a Wiseburn Unified School District organization to prepare a petition (25 percent of the registered voters) proposing to form a Wiseburn USD from existing territory of the Wiseburn SD. The proposed formation territory currently lies within the boundaries of the Centinela Valley Union High SD. The petition was provided to the chief petitioners on June 20, 2001.

On November 9, 2001, the chief petitioners submitted a signed petition to the Los Angeles County Superintendent of Schools (County Superintendent) to determine if the petition was sufficient and signed as required by law pursuant to EC §35700(a). In accordance with EC §35704, the County Superintendent found the petition to be sufficient and signed as required by law on December 4, 2001. On December 5, 2001, the petition was presented to the County Committee at its regular meeting and transmitted to the State Board of Education (SBE). Pursuant to EC §35705, a public hearing was conducted within the Wiseburn SD and Centinela Valley Union High SD on January 23, 2002, at Richard Henry Dana Middle School in the Wiseburn SD.

At its regular meeting on March 6, 2002, the County Committee was presented with a preliminary feasibility report concerning this proposal. The final feasibility report was presented to the County Committee at its regular meeting on May 1, 2002. At that meeting, the County Committee recommended approval and took action to recommend approval of the proposal to the SBE to form a Wiseburn USD from the existing boundaries of the Wiseburn SD within the Centinela Valley Union High SD. The County Committee further recommended that the election area be the entire Centinela Valley Union High SD.

The County Committee’s plans and recommendations were transmitted to the SBE and the California Department of Education (CDE) on June 18, 2002. On June 19, 2003, the CDE requested additional statistical information from the impacted districts and notified LACOE staff that the petition would be heard in November 2003.

On September 2, 2003, the CDE notified LACOE that the petition hearing before the SBE would be delayed until January 7–8, 2004. The CDE cited budget constraints and staff cutbacks as reasons for the hearing delay. On December 1, 2003, the CDE notified LACOE of a second delay for the petition hearing before the SBE, postponing it until March 10–11, 2004. The CDE cited current state fiscal circumstances as the reason for the further delay. On January 21, 2004, the CDE notified LACOE of a third delay for the petition hearing before the SBE, postponing it until May 12–13, 2004. On April 16, 2004, the CDE notified LACOE that the petition hearing would be held on May 13, 2004.

On April 27, 2004, LACOE received a copy of the CDE’s final feasibility study. On April 29, 2004, LACOE received notice from the CDE that the petition hearing had been delayed indefinitely at the request of the Wiseburn SD. Subsequently, the Wiseburn SD requested that the SBE hear the petition, along with its request for two waivers. A hearing was scheduled for July 7, 2004. On July 7, 2004, staff was notified by the CDE that Centinela Valley Union High SD requested a delay in review by the SBE. Wiseburn SD agreed to withdraw its petition for consideration before the SBE to accommodate additional review requested by Centinela Valley Union High SD. Subsequent to granting this delay, legal counsel to Wiseburn SD and Centinela Valley Union High SD presented additional information (at the CDE’s

* Indicates update from previous summary.
request) regarding the legality of Wiseburn SD residents maintaining responsibility to pay Centinela Valley Union High SD tax obligations following any unification of a Wiseburn USD.

On August 31, 2004, staff received notice that Ms. Karen Steentoft, Chief Counsel for the SBE, recommended that certain waivers submitted with the Wiseburn USD petition could be determined by the SBE at the time of the hearing. Subsequently, the CDE rescheduled the petition to be heard before the SBE on September 9, 2004.

On September 9, 2004, staff attended the SBE hearing. CDE staff recommended that the SBE adopt the proposal approving the petition to form a Wiseburn USD and to set the election area as the area of the Wiseburn SD only on the condition that the property owners within the Wiseburn SD retain current levels of responsibility for repayment of existing bonded indebtedness of the Centinela Valley Union High SD upon successful formation of a Wiseburn USD. The SBE voted unanimously to approve the proposal and established that territory within the Wiseburn SD be the area of election. Statutory requirements provide that, following approval by the SBE, an election shall be called on the next available regular election date (March 8, 2005) in the territory determined by the SBE.

On October 19, 2004, at the direction of the SBE, the County Superintendent forwarded an order for special election to the Registrar-Recorder office, to be held in conjunction with the March 8, 2005, regular election. A ballot measure to approve or disapprove the formation of a Wiseburn USD and to elect a governing board will be placed before the electorate. The election will be held within the boundaries of the proposed Wiseburn USD. Should the electorate approve the proposal, the new district could become effective July 1, 2006.

On November 1, 2004, staff received a copy of a lawsuit filed by the Centinela Valley Union High SD against the SBE, seeking to vacate approval of Wiseburn SD’s petition to unify based on lack of compliance with the California Environmental Quality Act (CEQA) regulations. On November 18, 2004, staff received a copy of a second lawsuit filed in this matter, citing flaws in the legality of the SBE’s decisions and naming additional parties, including the County Committee as defendants. The Centinela Valley Union High SD, Wiseburn SD, and SBE began negotiations to delay the election in order to revisit the issues underlying the petition and subsequent lawsuits. The SBE requested that the County Superintendent delay the election to allow for this negotiation process to run its course. Staff consulted with County Counsel and was advised that neither the County Superintendent nor the SBE could order a delay of the election.

On Friday, December 10, 2004, in the case of Centinela Valley Union High SD (Petitioners) vs. the SBE, the Los Angeles Superior Court issued a preliminary injunction barring the conduct of the election regarding the formation of the Wiseburn USD on March 8, 2005. The Petitioners also contacted the court and requested that the Motion for Preliminary Injunction (Injunction) scheduled for December 13, 2004, vs. the County Committee and County Superintendent, be taken off the calendar. The Petitioners will consult with the court’s clerk to re-schedule. This was done because the Petitioners received the Injunction that day. A hearing on the motion was scheduled for March 30, 2005. Staff received notice from County Counsel that both the County Committee and the County Superintendent were dropped as parties to the lawsuit in which they were named.

On January 6, 2005, County Counsel met with the County Committee in closed session to discuss the lawsuit. Later at the same meeting, Dr. Don Brann, then Superintendent of Wiseburn SD, appeared before

* Indicates update from previous summary.
the County Committee to inform them that the SBE would withdraw its approval of the petition, pending a negotiation with petitioners and attorneys for Centinela Valley Union High SD. On January 13, 2005, the CDE withdrew its approval of the Wiseburn USD petition and its request that an election be ordered. Staff at the CDE has informed us that they intend to redo the review process related to CEQA and to return the petition to the SBE for action (not to the County Committee).

On March 13, 2007, the California Department of General Services issued a Notice of Preparation of an Environmental Impact Report (EIR), under CEQA. The CDE held a CEQA scoping hearing on March 28, 2007, within the Wiseburn SD. Staff attended this meeting. A comment period was set by the SBE for March 13, 2007, to April 12, 2007. On April 24, 2007, staff was notified by the SBE that the CEQA comment period had been extended to May 15, 2007, due to a request made at the scoping hearing.

On July 7, 2008, staff received a copy of the draft EIR from Terry A. Hayes Associates LLC, on behalf of the CDE. A comment period for the draft EIR was opened from July 7, 2008, to August 21, 2008. A public hearing was held on July 22, 2008. Staff will keep the County Committee apprised of any additional developments.

On April 15, 2009, staff provided follow-up information to the CDE regarding the financial status of the Centinela Valley Union High SD.

On October 22, 2009, the CDE notified LACOE that the petition hearing before the SBE would not be heard until January 7-8, 2010. On December 8, 2009, the CDE notified LACOE that the petition hearing before the SBE would not be heard until March 11, 2010. On January 6, 2010, the CDE notified LACOE that the petition would not be heard until July 2010.

On March 25, 2010, the CDE notified LACOE that the petition would be heard at the May 12-13, 2010, meeting of the SBE. On April 30, 2010, the CDE issued its feasibility study of the Wiseburn unification petition. On May 3, 2010, the Wiseburn SD requested that the SBE remove the item from the May 2010 agenda. Presently, there is no date set for this petition to be reviewed by the SBE.

On August 3, 2010, Superintendents from the Centinela Valley Union High SD and the Wiseburn SD submitted a request to the County Superintendent to help mediate a community-based solution to the issues arising from this petition.

*Status: Petition on hold.*

**Status Date:** August 16, 2010

**PROPOSED INCREASE IN THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN, THE ESTABLISHMENT OF TRUSTEE AREAS, AND THE REQUIREMENT OF TRUSTEE AREA VOTING WITHIN THE MOUNT SAN ANTONIO COMMUNITY COLLEGE DISTRICT (CCD)**

On February 26, 2010, LACOE received a request for a petition pursuant to EC §5019(a) and (c) to increase the number of trustees from five to seven, to establish trustee areas, and to require trustee area voting, within the Mount San Antonio CCD. The request was submitted by chief petitioner Mr. Mendoza. The petition was forwarded to County Counsel to determine its legal compliance regarding

* Indicates update from previous summary.
format and content. On March 12, 2010, County Counsel notified staff that the petition was sufficient. On March 12, 2010, the petition was forwarded to the chief petitioner for circulation.

Please note that this is a new, additional petition, separate from other petitions requested by Mr. Mendoza, although it requests the same changes within the Mount San Antonio CCD (the addition of two governing board members and the creation of trustee areas with trustee area voting).

Status: Petition in circulation.

Status Date: April 19, 2010

**PROPOSED INCREASE IN THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN AND THE ESTABLISHMENT OF TRUSTEE AREAS WITHIN THE POMONA USD**

On July 13, 2009, LACOE received a request for a petition pursuant to EC §5019 and §5020 to increase the number of trustees from five to seven and to establish trustee areas within the Pomona USD. The request was submitted by chief petitioner Mr. Mendoza. The petition was forwarded to County Counsel to determine its legal compliance regarding format and content. On August 7, 2009, County Counsel deemed the petition sufficient. Staff returned the petition to the chief petitioner on August 11, 2009, for circulation.

Please note that this is a separate petition, distinct from the other petitions requested by Mr. Mendoza, and requests some of the same changes within the Pomona USD (the addition of two governing board members and the creation of trustee areas). It was submitted under EC §5019 and §5020 and requires valid signatures from ten percent of the registered voters within the petition area (approximately 7,000 signatures in the case of the Pomona USD). If valid and certified by the County Committee, this petition would trigger a ballot initiative (as opposed to a reference report and vote by the County Committee).

Status: Petition in circulation.

Status Date: August 20, 2009

**FORMATION—MALIBU USD (CURRENTLY LIES WITHIN THE BOUNDARIES OF THE SANTA MONICA-MALIBU USD)**

Status: Petition currently in circulation.

Status Date: February 21, 2008

**FORMATION—ALTADENA USD (CURRENTLY LIES WITHIN THE BOUNDARIES OF THE PASADEÑA USD)**

Status: Petition in circulation.

Status Date: May 11, 2007

* Indicates update from previous summary.
Formation—La Mirada USD (Currently lies within the boundaries of the Norwalk - La Mirada USD)

Status: Petition in circulation.

Status Date: March 20, 2007

Proposed Increase in the Number of Trustees from Five to Seven, the Establishment of Trustee Areas, and the Requirement of Trustee Area Voting within the Mount San Antonio CCD

Status: Petition in circulation.

Status Date: January 17, 2007

Proposed Increase in the Number of Trustees from Five to Seven within the Pomona USD, Retaining the At-Large Voting Method

Status: Petition in circulation.

Status Date: January 17, 2007

Proposed Increase in the Number of Trustees from Five to Seven, the Establishment of Trustee Areas, and the Requirement of Trustee Area Voting within the Mount San Antonio CCD

Status: Petition in circulation.

Status Date: October 2, 2006

Proposed Increase in the Number of Trustees from Five to Seven and the Establishment of Trustee Areas within the Pomona USD

Status: Petition in circulation.

Status Date: April 11, 2006

Proposed Increase in the Number of Trustees from Five to Seven, the Establishment of Trustee Areas, and the Requirement of Trustee Area Voting within the Mount San Antonio CCD

Status: Petition in circulation.

Status Date: April 11, 2006

* Indicates update from previous summary.
FORMATION—ALTADENA USD (CURRENTLY LIES WITHIN THE BOUNDARIES OF THE PASADENA USD)

Status: Petition in circulation.

Status Date: March 21, 2006

PROPOSED INCREASE IN THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN WITHIN THE MOUNT SAN ANTONIO CCD

Status: Petition in circulation.

Status Date: July 21, 2003

PROPOSED INCREASE IN THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN WITHIN THE POMONA USD

Status: Petition in circulation.

Status Date: June 16, 2003

PROPOSAL TO INCREASE THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN, TO ESTABLISH TRUSTEE AREAS, AND TO REQUIRE THAT EACH GOVERNING BOARD MEMBER RESIDE IN AND BE ELECTED BY THE REGISTERED VOTERS OF EACH PARTICULAR TRUSTEE AREA WITHIN THE MOUNT SAN ANTONIO CCD

Status: Petition in circulation.

Status Date: August 20, 2001

OTHER INQUIRIES REGARDING REORGANIZATION (within the last six months)

Unification Proposals/Last Activity Date

• None

Transfer of Territory Proposals/Last Activity Date

• None

Formation Proposals/Last Activity Date

• None

Trustee Areas and Governing Board Size/Last Activity Date

• None

* Indicates update from previous summary.
September 2010

The following is a summary of school district reorganization proposals affecting the Los Angeles Unified School District (USD) that were at various stages in the school district organization process as of August 17, 2010.

PROPOSAL TO TRANSFER CERTAIN TERRITORY FROM THE COMPTON USD TO THE LOS ANGELES USD

Status: Final petition submission pending.

Status Date: June 26, 2007

OTHER INQUIRIES REGARDING REORGANIZATION (within the last six months)

Formation Proposals/Last Activity Date

None

Transfer of Territory Proposals/Last Activity Date

None

* Indicates update from previous summary.